

To: Albright, David[Albright.David@epa.gov]
Cc: Montgomery, Michael[Montgomery.Michael@epa.gov]; Zito, Kelly[ZITO.KELLY@EPA.GOV]
From: Mogharabi, Nahal
Sent: Tue 4/28/2015 10:38:15 PM
Subject: RE: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Thanks, David.

I'll send this along with the link to our web page on this issue so he can look at all our documents on the issue as well.

From: Albright, David
Sent: Tuesday, April 28, 2015 2:53 PM
To: Mogharabi, Nahal
Cc: Montgomery, Michael
Subject: RE: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Hi Nahal,

Our granting of Class II UIC primacy to CA is documented at 40 CFR part 147.250. Below is the full text of that sub-section of the regulations.

§147.250 State-administered program—Class II wells.

The UIC program for Class II wells in the State of California, except those on Indian lands, is the program administered by the California Division of Oil and Gas, approved by EPA pursuant to SDWA section 1425.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of California. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) California Laws for Conservation of Petroleum and Gas, California Public Resources Code Div. 3, Chapt. 1, §§3000-3359 (1989);

(2) California Administrative Code, title 14, §§1710 to 1724.10 (May 28, 1988).

(b) The Memorandum of Agreement between EPA Region IX and the California Division of Oil and Gas, signed by the EPA Regional Administrator on September 29, 1982.

(c) *Statement of legal authority.* (1) Letter from California Deputy Attorney General to the Administrator of EPA, "Re: Legal Authority of California Division of Oil and Gas to Carry Out Class II Injection Well Program," April 1, 1981;

(2) Letter from California Deputy Attorney General to Chief of California Branch, EPA Region IX, "Re: California Application for Primacy, Class II UIC Program," December 3, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9412, Mar. 6, 1991]

I hope this helps.

Thanks,

David

From: Mogharabi, Nahal

Sent: Tuesday, April 28, 2015 2:44 PM

To: Albright, David; Montgomery, Michael

Subject: FW: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Please see the below. Do we have language, documentation we can send him.

From: Justin Bass [mailto:[Ex. 6 - Personal Privacy](#)]

Sent: Tuesday, April 28, 2015 2:34 PM

To: Mogharabi, Nahal; Skadowski, Suzanne

Subject: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Nahal,

Would you please provide me the full text of the EPA documentation that gave total authority to California's Department of Conservation and its Division of Oil, Gas and Geothermal Resources (DOGGR) to regulate oil drilling and injection wells dumping toxic waste into California's ground?

"Primacy," is this a law? Did EPA give "primacy" license to the State of California over oil drilling and injection wells?

Thank you for your help

Justin Bass

Reporter

Ex. 6 - Personal Privacy